

Effective 5/13/2014

4-15-11 Enforcement -- Inspection -- Stop sale order -- Procedure -- Warrants.

- (1) The department may issue a "stop sale" order to any nursery or nursery outlet upon discovery or notification of a quarantine pest or pest of concern, or if the department has reason to believe the nursery is offering, advertising, or selling nursery stock in violation of Section 4-15-10. The "stop sale" order shall be in writing and no nursery stock subject to it shall be advertised or sold, except upon subsequent written release by the department.
- (2) The department is authorized for the purpose of ascertaining compliance with this chapter to enter and inspect any nursery or nursery outlet where nursery stock is kept during their business hours. If access for the purpose of inspection is denied, the department may proceed immediately to the nearest court of competent jurisdiction and obtain an ex parte warrant or its equivalent to permit inspection of the nursery or nursery outlet.

Amended by Chapter 411, 2014 General Session